

Remarks/Arguments

Claims 1-8 and 11-13 are pending. The claims have been amended to more clearly and distinctly claim the subject matter that applicants regard as their invention, and in particular, to more clearly define the relationship between the first and second devices on the network and the internet server. New claims 12-13 recite the features of claims 1 and 5 in method form. No new matter is believed to be added by the present amendment.

The non-patent literature and foreign references cited in the IDS submitted on December 8, 2000 are attached herewith as requested.

Rejection of claims 1-8 and 11 under 35 USC 103(a) as being unpatentable over Goertzel et al (US 6208952)

Applicants submit that for the reasons discussed below present claims 1-8 and 11 are patentably distinguishable over the teachings of Goertzel et al.

The present invention relates to a communication method in a home network wherein a first device is connected to an internet server by a second device. In particular, an internet application protocol identifier is sent from the first device to the second device. The internet protocol identifier identifies the internet application protocol to be used for exchanging data between the first device and the internet server. The invention advantageously allows the first device to use the second device as a proxy to access the internet.

In that regard, present claim 1 recites:

*-receiving, by the second device, a request from said first device-for opening a connection between the first device and the second device, wherein said request contains **an internet application protocol identifier, corresponding to a protocol chosen among a plurality of protocols supported by the second device**, to identify an internet application protocol to be used for exchanging information between the first device and the internet server;*

-receiving, by the second device, an internet protocol request under the format of said internet application protocol from said first device;

-forwarding said internet protocol request from the second device to the internet server;

*-upon receipt, transferring a response from said internet server to said first device through said second device over said communication bus.
(emphasis added)*

Applicants submit that Goertzel fails to teach or suggest the above-noted limitations of claim 1.

Goertzel describes a method and system for delayed registration of protocols. A goal of Goertzel is to avoid having the server processes register **all of the communications protocols** supported by the server processes with a registration entity of the network. Goertzel addresses the goal by causing server processes to register specific protocols when it is desired to set up communication using the specific protocols. The examiner asserts that Goertzel discloses all of the features of claim 1 except the claimed limitation of an internet server. Applicants respectfully disagree and submit that Goertzel fails to teach or suggest additional limitations of the claims as discussed below.

Goertzel teaches that when a client process wishes to set up a connection with a server process according to a given protocol, the client process first contacts a so-called communication process and indicates the communication protocol it wishes to use with the server process. The communication process then notifies the server process to register that particular communication protocol so that a direct communication may be set up between the client process and the server process using that protocol. This process is referred to as the 'delayed protocol registration.' see e.g. col. 4, lines 21-35.

By contrast, the protocol of claim 1 is a protocol that is **supported by the second device** (the proxy) since the second device receives requests according to that protocol from the first device (the client), and forwards the responses from the internet server.

In Goertzel the communication process triggers the registration of a specific communication protocol by the server process, rather than function as a proxy. The 'communication process' does not need to support the communication protocol identified by the client process since the communication process is not part of subsequent exchanges between the client and the server processes.

In the present invention, the first device is limited in the protocol it may use to access an internet server ("... a protocol chosen among a plurality of protocols supported by the second device..."). Such a feature is not taught or suggested by Goertzel. Having the second device support a plurality of internet application protocols and having the second device connect to the internet, whereas the first device uses the second device as a proxy to access an internet server is particularly advantageous because the first device does not need to incorporate an entire IP protocol stack, it simply needs to support the internet application protocols used by its application, thus reducing the cost of the first device.

In view of the above, applicants submit that Goertzel fails to teach or suggest all of the limitations of claim 1, and as such, claim 1 is patentably distinguishable over the teachings of Goertzel. The additional cited teachings of Goertzel fail to cure the defect of Goertzel as applied to claim 1, and as such, applicants submit that claims 2-8, which depend from claim 1, are patentably distinguishable over Goertzel for at least the same reasons as those discussed above as applied to claim 1. Claim 11 recites the features of claim 1 in apparatus form as directed to the second device, and thus, applicants submit that claim 11 is patentably distinguishable of the teachings of Goertzel for at least the same reasons as those discussed above as applied to claim 1.


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Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Please charge the \$450 fee for the 2 month Petition for Extension of Time, and any other costs that may be associated with the filing of this response, to Deposit Account No. 07-0832.

Respectfully submitted,
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Attachments

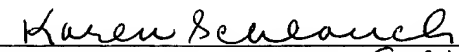
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I hereby certify that this amendment is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

5-13-05
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~~Patricia M. Fedorowycz~~ Karen Schlauch